

REMARKS/ARGUMENTS

The instant application is on appeal, the notice of which having been filed on October 17, 2006. Prior to the Official Action of September 7, 2006, the Examiner and applicants had agreed that the application was in condition for allowance with the exception of some minor informalities which the Examiner had been authorized to correct by Examiner's Amendment. At that time, applicants fully expected an official Notice of Allowance along with a summary of the telephone interview authorizing the Amendment. Applicants have since received the most recent Office Action of September 7, 2006, withdrawing the indication of allowance and entering new prior art grounds of rejection against all of the claims. As a result, the Examiner's Amendment was not completed and instead the Examiner has repeated the objections on page 2 of the Official Action. Thus, this Amendment is intended merely to correct the objections made by the Examiner to claims 5, 13, 18 and 37 and to page 13 of the specification.

Specifically, applicants have amended claim 5 to refer to "the installed turbine" rather than simply "the turbine"; claim 13 to amend the phrase "the performance characteristic" to "the current performance characteristic"; and claims 18 and 37 to change the phrase "the Internet" to simply "Internet" as suggested by the Examiner. In addition, page 13 of the specification has been amended to delete reference numeral "1208" and insert therefore reference numeral "1209". It is respectfully requested that the Amendment be entered since it merely complies with a requirement of form expressly set forth in the previous Office Action and because the Amendment places the rejected claims in better form for appeal, noting Section 1206 I of the MPEP, and an acknowledgement of same is requested so that applicants may proceed with the preparation of an Appeal Brief.

CHAN et al.
Appl. No. 09/749,303

The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



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